

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON**

Michael A. Galluzzo,

Petitioner,

v.

**Case No. 3:17-cv-218
Judge Thomas M. Rose**

State of Ohio, et al.,

Respondent.

**DECISION AND ENTRY ADOPTING SUPPLEMENTAL REPORT AND
RECOMMENDATIONS OF UNITED STATES MAGISTRATE JUDGE
MERZ (ECF 18), OVERRULING PETITIONER'S OBJECTIONS (ECF 16,
19) TO MAGISTRATE'S REPORT AND RECOMMENDATIONS, (ECF 15,
18), DENYING PETITION FOR WRIT OF HABEAS CORPUS, (ECF 1),
AND TERMINATING THE INSTANT CASE.**

On September 15, 2017, Magistrate Judge Michael R. Merz filed a Report and Recommendation, (ECF 15), suggesting that the Court deny Petitioner Michael A. Galluzzo's Petition for a Writ of Habeas Corpus, (ECF 1), as Petitioner has failed to exhaust available state court remedies. Petitioner filed Objections to the Magistrate's Report and Recommendations, (ECF 16), prompting the Magistrate Judge to file a Supplemental Report and Recommendation. (ECF 18). Petitioner then filed objections to the Magistrate's Supplemental Report and Recommendation. (ECF 19).

As required by 28 U.S.C. § 636(b) and Federal Rule of Civil Procedure 72(b), the Court has made a *de novo* review of the record in this case, taking into consideration both of Petitioner's objections. Upon said review, the Court finds that Plaintiff's objections, (ECF 16, 19), to the

Magistrate Judge's Supplemental Report and Recommendations, (ECF 18), are not well taken and they are hereby **OVERRULED**. Wherefore, the Court **ADOPTS IN FULL** the Magistrate Judge's Report and Recommendations. (ECF 18). Petition for a Writ of Habeas Corpus, (Doc. 1), is hereby **DISMISSED WITHOUT PREJUDICE**.

DONE and **ORDERED** this Friday, January 19, 2018.

s/Thomas M. Rose

THOMAS M. ROSE
UNITED STATES DISTRICT JUDGE